

# **AFTER HIERARCHY?**

## **Integration and Differentiation within Scandinavian**

### **Central Administrations**

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**ABSTRACT** This study demonstrates that the *differentiated* organisational constellation of the European Union (EU) contribute to a *differentiated* penetration of domestic government decision-making processes. The question posed is *how* different EU institutions, notably the European Commission and the Council of Ministers, accompany a differentiated level of hierarchical decision-making processes within domestic central administrations. To account for this differentiated impact, this study outlines two theoretical approaches: one ‘administrative integration approach’ claiming that *different* EU institutions have a differentiated impact on domestic hierarchical governance, and one ‘administrative robustness approach’ advocating the differentiated “EU effect” is filtered, mediated and modified through existing domestic decision-making routines and practices. This article compares the actual decision-making processes within the central administrative apparatus of two countries which are differentially integrated in the EU, Norway and Sweden. The empirical analysis, based on a rich body of existing survey and interview data, indicates that the European Commission *informally* activates the lower echelons of the domestic government hierarchies, notably sector experts within sector agencies and sector ministries. Furthermore, the European Commission tend to de-activate the domestic politico-administrative leadership, the Foreign Office and the Prime Ministers Office. By contrast, the Council of Ministers seems to strengthen the *formal* domestic pyramidal hierarchy of governance. Consequently, in the case of Norway a strong informal penetration happens between the European Commission and domestic government institutions largely outside the control of the domestic politico-administrative leadership. In Sweden this tendency is somewhat counterbalanced due to the inter-sectorally interlocking effect of the Council of Ministers. Finally, this study highlights that domestic government institutions, to some extent, bias and filters the differentiated effect of the European Commission and the Council of Ministers.

## INTRODUCTION

There are many roads to the diverse decision-making dynamics that unfolds within European central administrations. The institutionalist and social constructivist schools of Europeanisation has revealed how the “EU effect” is filtered and mediated through domestic institutionalised rules, norms and cultures (e.g. Bulmer and Burch 2005; Checkel 2005; Hèretier et al. 2001). Less emphasis has been put on how cross-national differences as regards government decision-making processes may be caused by the differentiated organisational constellation of the European Union (EU) system. This study demonstrates that the *differentiated* organisational structure of the EU contribute to a *differentiated* penetration of domestic government decision-making processes. The question posed is *how* different EU institutions, notably the European Commission and the Council of Ministers, accompany a differentiated level of hierarchical decision-making processes within domestic central administrations. Based on a rich body of existing survey and interview data this article compares the actual decision-making processes within the central administrative apparatus of two countries which have been differentially integrated towards the EU during ten years, Norway and Sweden.

The mutual exclusiveness of domestic and foreign affairs within domestic government systems is increasingly challenged by the multi-level interaction between domestic civil servants and international bureaucracies (Cassese 1987; Rosenau 1997; Scheinman and Feld 1972; Underdal 1987). Multi-level interaction has become an institutionalised habit for domestic civil servants within sector ministries as well as subordinated agencies (Beyers and Trondal 2004; Olsen 2003a). EU institutions open new arenas for direct and intimate interaction between the public administrations of the member-states and between the domestic

public administrations and the community institutions (Egeberg, Schaefer and Trondal 2003). This study argues that the European Commission and the Council of Ministers have a differentiated impact on the behavioural logics of domestic public administrations because these EU institutions are organised according to *different generic principles*. Arguably, multi-level interaction towards the European Commission happens partly outside the control of the domestic Prime Ministers Office (PMO), Foreign Office (FO) and the politico-administrative leadership because the classical territorial logic of state-by-state politics is challenged by this supranational executive. On the other hand, multi-level interaction directed towards the Council of Ministers is more strongly governed by the domestic PMO, FO and the politico-administrative leadership. Hence, whereas the Council of Ministers arguably strengthen the domestic politico-administrative leadership the European Commission tend to weaken the power of that same leadership.

The dependent variable of this study is the actual decision-making processes unfolding within the Norwegian and Swedish central administrations generally, and more specifically the degrees of hierarchical decision-making processes therein. The empirical yardstick of hierarchical decision-making is the extent to which the politico-administrative leadership ultimately controls the decision-making processes that unfold within domestic government institutions. Hierarchical decision-making denotes that “the most important policy decisions [are] taken at the apex of a government organisation ... and those lower down in the hierarchy merely ... carry them out” (Page 1992:61). De-hierarchisation refers to the fact that important decisions are crafted autonomously by civil servants in the lower echelons of the government hierarchy. Decision-making behaviour refers to the contacts, co-ordination patterns and priorities made by civil servants. A de-hierarchisation of decision-making behaviour thus denotes civil servants having few contacts with the politico-administrative leadership,

receiving few priorities from this leadership, and/or co-ordinate more among fellow peers horizontally than with the leadership vertically.

Whereas the Swedish EU membership has integrated the Swedish administrative apparatus into both the European Commission *and* the Council of Ministers, the Norwegian associated membership (through the EEA agreement) has (partly) integrated the Norwegian government fabric *solely* to the Commission system. Empirically, the cases of Norway and Sweden demonstrate how the European Commission contributes to *informally* circumvent the domestic decision-making hierarchy whereas the Council of Ministers mainly contributes to uphold *formal* domestic politico-administrative control and oversight. The study thus reveals that the territorial organisational structure of the Council of Ministers tend to strengthen the Swedish politico-administrative elites, the PMO and the FO. However, the Swedish and the Norwegian cases also demonstrate that ten years of differentiated integration in the EU have not fundamentally transformed decision-making processes within the domestic central administrations. This study reveals that trends towards a de-hierarchisation of government decision-making processes are modified by the Council of Ministers (in Sweden) and filtered, edited and translated through domestic institutional rules, practices and traditions (in Norway and Sweden).

Constitutionally there are significant differences between the Swedish and Norwegian central administrations (Petersson 1994:127). The government of Norway applies ministerial rule and administrative monism accompanying a closer formal relationship between the minister, his Cabinet, and subordinated agencies (Lægreid and Pedersen 1999). In this system, “the ministers are always accountable for the actions of a directorate” (Jacobsson, Lægreid and Pedersen 2004:16). There are currently 17 Norwegian ministries employing approximately

4000 civil servants. The average Norwegian ministry contains 235 civil servants. The Norwegian FO is by far the largest with 659 officials (St.prp. nr. 1 (2004-2005)). In Sweden ministerial rule is not permitted and the central administration is divided into ministries and semi-autonomous agencies (administrative dualism). The 12 Swedish ministries are larger than the Norwegian ministries, employing approximately 4300 officials. The Swedish FO is by far the largest with 1500 civil servants (Premfors et al. 2003: 148). The average Swedish ministry thus contains 361 civil servants. Moreover, several tens of thousand Swedish officials are employed in the subordinated Swedish agencies (Petersson 1994:130). Both Norway and Sweden are unitary states with well developed parliamentary democracies and stabile administrative systems. In both countries directorates beneath the ministry level enjoy substantial *de facto* autonomy. Therefore, the differences between the Norwegian and the Swedish central administrative apparatuses are less significant in practice than judged by the Constitutional texts.

The wave of public management reforms has marked a tendency towards stronger vertical specialisation of administrative units through a devolution of semi-autonomous agencies in both countries (Christensen and Lægreid 2002). A classical tension has prevailed in Norway and Sweden between ministerial governance and agency autonomy for several decades. This conflict has centred on two dimensions: that between vertical politico-administrative control versus professional neutrality, and that between horizontal co-ordination versus sectoral departmentalisation (Jacobsen 1960). The argument presented by this study is that the European Commission and the Council of Ministers affect these two dimensions of decision-making processes differently.

The article proceeds as follows. The next section presented is an ‘administrative integration approach’ claiming that different EU institutions have profound and differentiated impact on hierarchical governance within domestic central administrations. The second approach is an ‘administrative robustness approach’ advocating that decision-making processes within domestic central administrations adapt less effectively and accurately towards EU institutions than claimed by the first approach. The second section provides a comparative empirical analysis on how the European Commission and the Council of Ministers impact differently on degrees of hierarchical decision-making processes within the Norwegian and the Swedish central administrative institutions. The stock of empirical observations presented rest on a rich body of existing survey and interview data.

## **THEORISING DIFFERENTIATED DECISION-MAKING PROCESSES**

This section outlines two supplementary theoretical approaches that render understandable how different EU institutions impact differently on degrees of hierarchical decision-making processes. First, one ‘administrative integration approach’ is presented claiming that different EU institutions accompany different levels of hierarchical decision-making within domestic government systems. Secondly, one ‘administrative robustness approach’ is outlined arguing that the “EU effect” is mediated and filtered through domestic decision-making routines and practices.

### **An administrative integration approach**

This approach builds on a generic organisation theory perspective, not on *sui generis* theories of administrative fusion as suggested by Wolfgang Wessels (1998). One advantage of applying a general or ‘cosmopolitan’ approach like organisation theory is the possibilities of drawing general inferences from single-case studies (Kohler-Koch 2003:7). An organisation



theory perspective assumes that civil servants employed in government institutions are bounded rational faced with information overload, computational limitations and a complex web of roles to play. The role as a civil servant is ambiguous with a multifaceted and complex set of role-expectations embedded. The vertical and horizontal specialisation of public administration serves to systematically buffer the information and role expectations relevant for each civil servant, thereby simplifying their preference formation and ultimately choice of decision-making behaviour (Egeberg 1999; Thelen and Steimno 1992). The local rationality of civil servants is systematically aggregated by this buffer function into organisational rationality (Gulick 1937; Simon 1957). Consequently, the organisational selection of relevant information, premises for decision making and role enactment affects how civil servants think, feel and act.

Organisational dynamics are triggered when organisational borders are crossed in day-to-day decision-making (Egeberg 1999). Arguably, the organisational borders between domestic administrative systems and the EU institutions are increasingly by-passed and weakened (Kohler-Koch 2003). The EU institutions and domestic government apparatuses interact in day-to-day policy-making through a complex web of EU committees, the system of seconded civil servants, through embassies, as well as informal networks of civil servants (Egeberg, Schaefer and Trondal 2003; Lewis 2000; Trondal 2004a; Van Schendelen and Scully 2003). Assumable, civil service systems that frequently interact tend to become increasingly similar in organisational terms, with respect to the decision-making processes unfolding, as well as the public policy crafted (Powell and DiMaggio 1991; Wessels 1998). Assuming that formal organisations focus the attention of bounded rational actors, national government systems with intimate contact towards EU institutions are likely to become systematically affected as regards their decision-making practices.

According to the classical administration school of Luther Gulick (1937), organisations may be horizontally specialised according to four principles: purpose, process, territory and clientele. The horizontal principles of purpose and process are observed in most domestic sector ministries and agencies, in the European Commission DGs, in the subordinated agencies of the Commission as well as in the web of Commission expert committees (Egeberg and Trondal 1999; Peters 1995:147). Arguably, civil servants who frequently interact within administrative systems organised by purpose and process are assumed to evoke decision-making behaviour that reflects their sectoral portfolios and professional skills, respectively. These civil servants are likely to perceive themselves as Weberian civil servants abiding rules and established practices within their portfolios as well as independent and neutral experts, respectively. These officials are less likely to act on fixed mandates issued by the politico-administrative leadership or to negotiate within the Council of Ministers on the basis of fixed national mandates written by the domestic FO and PMO. The latter behavioural pattern is arguably activated within territorially specialised organisations, such as domestic FOs and the Council of Ministers (see below).

According to this line of argumentation, the decision-making behaviour evoked by civil servants is contingent on the organisational properties of the administrative systems in which they are embedded. Henceforth, different EU institutions – notably the European Commission and the Council of Ministers – are likely to condition domestic decision-making processes differently. Whereas the European Commission is likely to foster a horizontal fragmentation of domestic decision-making processes and a weakening of domestic politico-administrative leadership, the Council of Ministers is likely to accompany domestic horizontal coherence across policy sectors and a demand for strengthening of domestic politico-administrative

leadership (Egeberg and Trondal 1999). Whereas the Swedish EU membership has integrated the Swedish administrative apparatus into both the European Commission *and* the Council of Ministers, the Norwegian associated membership (through the EEA agreement) has (partly) integrated the Norwegian government fabric *solely* to the Commission system.

Figure 1 illustrates that intimate interaction between domestic sector ministries and the European Commission contributes to turn the domestic pyramidal hierarchy of governance upside-down. Assumable, the European Commission activates the lower echelons of the domestic government hierarchies, notably sector experts within sector agencies and sector ministries. Arguably, the European Commission de-activates the domestic politico-administrative leadership, the FO and the PMO.

-- Figure 1 about here --

According to Luther Gulick (1937) organisations may be organised to accommodate territorial interests and concerns. Domestically, local prefectural offices as well as FOs are examples of territorially organised government bodies. The FO has the task of diplomatic representation abroad and to integrate national preferences that cross-cuts the portfolio of sector ministries. Traditionally the FO has been organised outside the domain of ‘domestic’ politics and outside the institutional turf-wars between sector ministries and the Finance Ministry (Christensen 1996). By this specialised organisational solution issues pertaining to other states as well as to international organisations are supposed to be co-ordinated by the FO. At the EU level the best example of territorial organisation is the Council of Ministers, particularly at the Minister level and the COREPER – including the Antici and Mertens groups (Egeberg and Trondal 1999; Sherrington 2000). Examples of organisation by purpose and process, however, are also

present within the Council, notably at the level of working groups and within the Council Secretariat (Christiansen 2001). However, national civil servants participating in Council working groups are *expected to* represent their governments and speak with “one voice” (Beyers and Trondal 2004; Larsson 2003:164).

Arguably, the Council of Ministers is likely to activate territorially organised domestic ministries like domestic FOs, PMOs and the Ministry of Finance, with horizontally co-ordinating roles within the Government. Moreover, these ministries contribute to a domestic filtering of the sectoral dynamics that may penetrate from the European Commission (Egeberg and Trondal 1999). The Swedish EU membership allows Swedish civil servants to participate in the Council of Ministers whereas the EEA agreement excludes Norwegian civil servants from attending Council meetings. Accordingly, the Council system is likely to strengthen *hierarchical* decision-making processes within the Swedish central administration but not within the Norwegian central administration. Hence, the Swedish FO is likely to be activated when ‘national interests’ are at stake in the Council of Ministers whereas the Norwegian FO is less likely to be activated by the European Commission. Consequently, the Norwegian civil service is likely to be strongly penetrated by the sector-dynamics of the European Commission and experience a decline of the powers of the FO, PMO and the politico-administrative leadership (Figure 1). By contrast, the Swedish FO and PMO are likely to be partly empowered by the Council of Ministers (Figure 2) and partly weakened by the European Commission (Figure 1).

Figure 2 illustrates how intimate interaction between domestic ministries (and agencies) and the Council of Ministers may contribute to uphold the domestic pyramidal hierarchy of governance.

-- Figure 2 about here --

### **An administrative robustness approach**

Bureaucratic organisations tend to develop added value “beyond the technical requirements of the task at hand” (Selznick 1957:17). Processes of infusion ultimately contribute to give the organisation an embodiment of purpose that provides a conservative institutional logic preserving existing decision-making processes (Stryker and Strathan 1985). Processes of infusion create a unique culture, identity, or soul to organisations, promoting resistance against abrupt change patterns (Christensen and Lægreid 2002). The administrative robustness approach claims that institutionalised organisations are fairly robust against abrupt changes in administrative structures, routines and decision-making processes (March and Olsen 1989). Accordingly, intimate interaction between the European Commission and the Council of Ministers on the one hand and domestic government institutions on the other are not likely to radically transform domestic decision-making processes. The differentiated impact stemming from the Commission and the Council is likely to be filtered, edited and translated through existing domestic decision-making routines and practices (Olsen 2003b). Whereas the ‘administrative integration approach’ is based on an underlying assumption of bounded rationality, the administrative robustness approach is based on assumptions going beyond the logic of consequentiality (March and Olsen 1989). The central logic is that of human beings as collections of identities, roles, cognition, emotions and senses of belongingness, and that decision-making behaviour is guided by processes of matching these properties to particular situations (March and Olsen 1989). A central underlying assumption is that civil servants’ decision-making behaviour is a product of such matching-processes. The choice of decision-making behaviour is ultimately determined by perceptions of self, perceptions of relevant

situation as well as perceptions of how these properties should be linked appropriately (March and Olsen 1989).

Organisational boundaries are more than buffers to the attention of decision-makers.

Organisational boundaries are normative, ethical, symbolic and temporal orders (Egeberg 1994:85). They grow, blossom and die through long “historical processes of interpretation, learning and habituation” (Olsen 1995:28). Drawing and redrawing organizational borderlines not only affect decision-making behaviour on the basis of cognitive search-processes, but also on the basis of matching identities and role perceptions to particular situations (Brunsson and Olsen 1997). Parallel to the ‘hermeneutic circle’, path-dependencies implies that future changes of decision-making processes are conditioned by past and present decision-making practices (Adler 1997:321). One impact of this argument is that archaeological layers of decision-making routines and practices are stored within government institutions.

Accordingly, it becomes easier to adopt new decision-making practices than to remove old ones due to the added value attached to existing practices (March and Olsen 1989). It also becomes easier to reorganise the balance between pre-existing behavioural practices than to add new practices or to subtract old ones. With March’ words: “An individual who has been negotiating a tough contract as an antagonistic lawyer carries that identity over to the role of diner in a restaurant or driver on a highway” (March 1994:70). In the EU-context, national officials who have just arrived at the EU meeting are likely to re-activate pre-established decision-making behaviour, preferences and roles of a domestic origin.

## **DATA AND METHOD**

This study benefits from a multitude of data streams that derive from a rich body of empirical research. Two important sources of survey data on the Norwegian case are provided by a

large-scale survey study among Norwegian civil servants in 1996 (N = 1479 at the ministerial level and N = 1024 at the agency level) (Christensen and Egeberg 1997) as well as a recent comprehensive survey study among civil servants in the Norwegian central administration (N = 510) (Audit General of Norway 2005). One comparative study of Norwegian *and* Swedish civil servants attending Commission expert committees and Council working groups (N = 116) (Trondal 2001) is also utilised together with a large scale comparative study of the Nordic central administrations (N = 260 on the Norwegian central administration, N = 345 on the Swedish central administration) (Jacobsson, Lægreid and Pedersen 2004). Hence, this study utilises existing bodies of empirical research on the Europeanisation of the Norwegian and Swedish central government institutions in order to illustrate the differentiated impact of different EU institutions on domestic government decision-making processes.

One caveat is needed: The empirical data streams presented are not produced on a joint comparative template at the same point in time. Neither are they based on similar proxies. Hence the data do not warrant a thorough test of the causal relationships claimed by the above theoretical perspectives. The next section is thus organised by country and not by theoretical perspective. Furthermore, the space of this article does not allow for extensive empirical presentations, only for discerning general empirical patterns.

## **NORWAY AND SWEDEN COMPARED**

Ten years ago referendums were held almost simultaneously in Norway, Sweden, Finland and Austria on the question of EU membership. In Norway 52,2 percent voted in favour of rejecting a EU membership, while 57 percent of the Finish voters, 66,6 percent of the Austrian voters, and 52 precent of the Swedish voters favoured a EU membership (Höll, Pollack and Puntsher-Riekmann 2003:338; Tiilikainen 2003: 150). Consequently, Sweden

and Norway, with rather similar politico-administrative systems chose different affiliations to the EU. Analytically, this offers an opportunity to compare how two fairly similar government systems have been affected differently by the EU due to different forms of affiliation towards the EU during a ten years period (1994-2004). This section demonstrates that when the state joins the EU the preconditions for domestic executive governance change by the differentiated impact of different EU institutions (Engel 2003; Kassim, Peters and Wright 2000).

### **Actual decision-making processes within the Norwegian central administration**

Norway has been pictured as an adaptive non-member of the EU (Sverdrup 1998). In the period 1997 to 2003 Norway adopted 2.129 (18,5 per cent) of the 11.511 new regulations decided by the EU (Nationen 2004). In sum, Norway has adopted 4.600 EU regulations in the period 1994 to 2004 (Dagbladet 2004). These observations indicate that Norwegian public policy has adapted flexibly towards new EU regulations (Claes and Tranøy 1999). However, studies show little evidence of a large-scale re-organisation of the Norwegian central administrative system due to the EU (Jacobssen, Lægreid and Pedersen 2004). Our focus, however, is neither on policy adaptation nor on re-organisation of the formal administrative apparatuses but on the actual decision-making processes unfolding within the Norwegian central administrative apparatus.

The Norwegian case shows evidence of a de-hierarchisation of the decision-making processes in the central administrative apparatus. A comprehensive study of the decision-making processes within the Norwegian central administration in 1996 showed that approximately 50 per cent of the civil servants were affected by the EU and/or the EEA agreement. 22 per cent of the sector ministry officials and 13 per cent of the agency officials reported having attended Commission expert committees. Only very few officials had experiences from the comitology



committees (Egeberg and Trondal 1999). Moreover, the Norwegian central administration, with the exception of the FO, had witnessed a remarkable stable level of participation in the Commission expert committees from 1994 to 1999: 252 committees in 1994, 200 committees in 1995, 207 committees in 1996, 211 committees in 1997, and 200 committees in 1999 (Egeberg and Trondal 1999: 138; Statskonsult 2001:15). At present a minority of Norwegian top civil servants belong to the core segment of very active EU committee participants (Jacobsson, Lægreid and Pedersen 2004:51). Norwegian officials attending EU committees are mostly from the agency level and the majority is employed in lower rank positions. They are typically professional experts with fairly loose ties towards the domestic politico-administrative leadership (Statskonsult 1999:6:27). Yet, when attending Commission expert committees, these officials tend to perceive their role as that of a national representative in addition to the role as independent expert and a supranational agent (Trondal 2004b). Notably, Norwegian government officials attending the Commission expert committees attend with ambiguous mandates. They generally receive few clear instructions and signals from the politico-administrative leadership (Statskonsult 1999:6:44). According to one Norwegian civil servant, “the EEA work does not get the necessary daily attention from the top management” (Statskonsult 2002:5:19 – authors’ translation).

Few Norwegian officials are accustomed to a written procedure for co-ordinating EU dossiers, and actual co-ordination is mostly done *post hoc* to the EU committee meetings, marginally involving the politico-administrative leadership (Jacobsson, Lægreid and Pedersen 2004: 39; Sætereng 2001). The Norwegian central administration is more adequately co-ordinated *intra*-ministerially than *inter*-ministerially when approaching the European Commission. Moreover, these co-ordination processes are less formalised and routinised than intended by the Norwegian PMO and FO. More generally, the formal co-ordination apparatus for EU/EEA

dossiers is activated less frequently than officially intended by the Norwegian PMO (Audit General of Norway 2005). This domestic co-ordination apparatus is more active *post hoc* when implementing EU regulations than *ex ante* in the agenda setting phase of the Commission expert committee meetings (Statskonsult 1999:6 and 2002:5:37). However, ministries heavily affected by EU dossiers and strongly involved in EU committee meetings seem to have better co-ordination capacities than those ministries less involved in EU affairs (Statskonsult 2001:15: 15). Finally, the ministry-level seems better co-ordinated than the agency-level, and officials in top rank positions (typically heads of unit) are more adequately mandated than officials in lower rank positions (Statskonsult 2001:15:16; Trondal 2004b).

The above observations parallel the observations of Swedish agency officials attending Commission expert committees (see the next section). Trondal and Veggeland (2003) show that Norwegian and Swedish officials attending the Commission expert committees evoke fairly *similar* roles – national, functional and supranational roles respectively (ordered by importance). The Commission expert committees, however, have a stronger functional dynamic than both the Council working groups and the comitology committees, accompanying lower levels of inter-sectoral co-ordination among participants in the Commission expert committees than among Council working group and comitology committee participants (Egeberg, Schaefer and Trondal 2003). Moreover, during the so-called ‘interim period’ for Norway in 1994, when Norway prepared for EU membership, Norwegian civil servants attended Council working groups. Trondal (1999) shows that this period was marked by increased inter-ministerial co-ordination and a substantial co-ordinating role for the Norwegian FO vis-à-vis meetings in the Council working groups and the COREPER. After 1994 Norway lost the right to attend Council working groups. One notable impact was that the degree of inter-ministerial co-ordination decreased, and that the co-ordinating role of the

Norwegian FO diminished relative to the co-ordinating role of sector ministries and agencies (Christensen 1996; Trondal 1999). Moreover, the relative power that the Norwegian PMO has on EU affairs seems to correlate with the political party in office. For example, whereas Prime Minister Brundtland from the Labour party “was personally strongly committed to EU membership and made it a central part of her political agenda for the 1990s” (Narud and Strøm 2000:141), the current Prime Minister Bondevik from the Christian Democratic party is an reluctant European official against Norwegian membership in the EU.

The declining role of the Norwegian FO vis-à-vis the sector ministries is a long trend in all EU member-states (Wessels, Maurer and Mittag 2003). In Norway East (1984:127) reported early that officials in the Norwegian FO tended to be more concerned with *intra*-ministerial co-ordination than *inter*-ministerial co-ordination, and that the Norwegian FO was more effective on inter-ministerial co-ordination on bilateral issues that went beyond Europe. By contrast, the international activities of Norwegian agencies’ are more narrowly oriented towards the European hemisphere (Underdal 1987:182). Hence, the European Commission seems to accelerate an already ongoing weakening of the Norwegian FO (Christensen 1996). EU dossiers handled by the European Commission are highly technical, requiring specialised knowledge to disentangle and influence successfully. As typical generalists in foreign affairs and diplomatic encounters, most Norwegian FO officials lack the professional capabilities available to sector-experts in the sector ministries and agencies to substantially and instrumentally handle EU dossiers (Claes 2003:92; Kassim, Peters and Wright 2000: 239). For example, relatively few officials from the Norwegian FO attend Commission committee meetings (Egeberg and Trondal 1999:138). These observations support the picture of The Norwegian FO as that of a “post-box” between the Norwegian sector ministries and agencies and the European Commission (Trondal 1999).

Officials at the Norwegian delegation to the EU have more direct contact with sector ministries than preferred by the Norwegian FO (Statskonsult 2002:5:18). Also, Norwegian ministers are loosely coupled to processes of negotiation within Council meetings (Statskonsult 2002:5). Moreover, Norwegian MPs are less actively involved in EU/EEA affairs than the MPs of most EU member-states. The Norwegian Parliamentary EEA committee have few meetings, handle few EU dossiers instrumentally, and have weak administrative resources to control the Norwegian central administration on EU dossiers (Melsæther and Sverdrup 2004; Sørensen 2004). The Norwegian Parliamentary EEA committee may not issue mandates to the Government on EU/EEA dossiers. Notably, some Norwegian political parties have better access to the European Parliament through their European party federations than the Norwegian Parliament as an institution (Nordby and Veggeland 1999:89; Statskonsult 2002:5).

“[G]overnments deal with European affairs much as they manage domestic affairs” (Engel 2003:245). The Norwegian central administration is no exception. The Norwegian central administration seems more sectorally de-coupled, de-politicised and fragmented than territorially integrated, politicised and co-ordinated when handling EU dossiers. With respect to how the Norwegian central administration handles EU dossiers, it is pictured as reactive, de-politicised and horizontally fragmented (Jacobsson, Lægreid and Pedersen 2004), even vertically disintegrated “whereby ‘micro-decisions’ tend to be de-coupled from the overall policy purpose and strategy” (Underdal 1987:170). EU dossiers are largely integrated into the day-to-day decision-making routines of Norwegian sector ministries, agencies, divisions and units (Egeberg and Trondal 1997: 342). Hence, the Norwegian central administration displays more horizontal fragmentation than co-ordination between ministries, and more horizontal

fragmentation between ministries than within them. The Norwegian case indicates that ten years of intimate relationship between national sector ministries and the European Commission has strengthened trends towards horizontal inter-ministerial fragmentation. Secondly, ten years of interaction between Norwegian sector ministries and the European Commission has accompanied a weakening of hierarchical decision-making processes within the Norwegian central government apparatus (cf. Figure 1).

### **Actual decision-making processes within the Swedish central administration**

The principle of ministerial rule is not applied in Sweden. The Swedish central administration consists of the Government and its office (the Chancery) and the central administrative authorities underneath (hereafter called agencies). These agencies are accountable to the Government as a collective. The Chancery is divided into 12 ministries, but is nevertheless supposed to function as a collective unit. The largest number of civil servants works at the agencies, not at the Chancery (Larsson 2002).

The absence of formal ministerial rule in Sweden is not the only factor that restricts the potential for ministerial rule over the agencies. Chapter 11, Paragraph 7 of the *Instrument of Government* clearly states that the Swedish Government cannot interfere with how agencies interpret laws adopted by the Riksdag. Furthermore, ministers are not responsible for how agencies interpret laws and regulations. A large part of the activities of the agencies does not, however, concern the application of laws or the exercise of public authority. The general tendency is to offer the agencies a fairly free hand. However, the contacts and relationship between an agency and its ministry are quite often both frequent and close (Jacobsson 1984).

Prior to the Swedish EU membership in 1995 the autonomy of the Swedish agencies was never seriously questioned by the Swedish Government. The relationship between the ministries and

the agencies may be pictured as interdependent. The ministries are small compared to many agencies, which means that their expert knowledge in most technical dossiers is limited (Petersson 1994). Expert competences are found among civil servants at the agencies. Due to the size and complexity of the Government's agenda, the Government depends on the active participation of agencies in the preparation and formulation of policies. In addition, many of the civil servants in the ministries have been recruited from the agencies underneath. Furthermore, it is not uncommon for senior civil servants of agencies to have previous careers in the Chancery, a fact that contributes to the development of shared epistemic and normative communities that span the ministry/agency divide (Larsson 1993).

The Swedish Constitution describes a Government with far-reaching collective responsibility and a Chancery with a well integrated staff organisation for hierarchical co-ordination and planning. Today, a Swedish minister cannot hope to overview all activities of other ministries, unless they directly influence his or her own portfolio. Therefore, Swedish ministers act in much the same way as ministers in other countries – according to their sector portfolio (Page 1992). The organisational boundaries between Swedish ministries are intact, and the civil servants often have well developed instincts for ministerial territories (Premfors et al. 2003: 151). What constitutionally appears to be a tightly horizontally integrated government system often displays weak hierarchical co-ordination. However, the Swedish EU membership has added increased pressure on the Government to further improve the co-ordination of EU dossiers and strengthen the co-ordination role of the PMO and the FO (Sundström 1999).

Similarly to the Norwegian case, the Swedish central administration is often represented in the Commission expert committees by officials from the agencies and not by civil servants from the ministry level (Trondal 2001). Typically, Swedish ministries are responsible for the Council and

the comitology meetings while Swedish agencies are responsible for attending the Commission expert committees. However, in many cases Sweden will attend EU meetings with representative from both agencies and ministries. The Swedish EU membership has spurred a general need for intensified vertical co-ordination between the ministries and the agencies (Sundström 1999).

Furthermore, it has become important for the Government to survey and control the international networks of the sector ministries, particularly those that the agencies execute independently of the ministries. However, the Government seems to lack comprehensive overviews of the international engagements of the agencies. The integration of Swedish agencies into the decision-making machinery of the European Commission has spurred a debate on the functionality of the dual Swedish government system (Jacobsson 1999).

The Swedish EU membership has observable implications on actual decision-making processes in the Swedish central administration. One notable effect is seen on processes of horizontal and vertical co-ordination within the Swedish government. Notably, the EU membership has challenged the vertical (hierarchical) co-ordination of EU dossiers between the politico-administrative leadership and the individual civil servants, and vertically between ministries and agencies. After the EU accession in 1995 the sheer volume of horizontal and vertical co-ordination has increased within the Swedish government system (Sundström 1999). In particular, the co-ordinating role of the Swedish FO is increasingly supplemented by co-ordination responsibilities of the PMO and by co-ordinating activities of medium rank civil servants within sector ministries and agencies. The co-ordination of Swedish EU affairs is also conducted through a small, collegial inter-ministerial committee system. However, the typical mode of co-ordinating EU dossiers is through informal personal contacts without written agendas and instructions. A problem that soon became obvious after 1995 was the problem of holding on to

the principle of collective decision-making. Since the Swedish Constitution stipulates an extensive collective responsibility by the Government the Swedish Government has adopted a tradition of frequent Cabinet meetings. This includes weekly formal Cabinet meetings, informal Cabinet meetings and Cabinet meetings almost every day for so-called lunch deliberations (Larsson 1986). The EU membership has made it harder to stick to the principle of collective decision-making.<sup>1</sup> Even the old Cabinet method of mutual exchange, i.e. of important documents, is severely challenged due to the externally (EU-determined) deadlines of the European Commission (Ekengren 2002). The difficulties that the Chancery had with co-ordination prior to the EU accession have multiplied after the EU accession. Hence, despite increased need for co-ordination by the Cabinet towards the Council of Ministers, the capacity for co-ordination is reduced by the sheer pace-making role of Commission deadlines (Ekengren 2002).

The Swedish EU membership has accompanied new administrative perceptions of time (Ekengren 2002). The decision-making processes within the Swedish central administration have always followed fixed circular rhythms dictated by rutinised events and rituals. Typically, budget cycles affected the level and character of activity in the central administration (Larsson 1986). However, the European Commission has added additional, faster and more ambiguous external rhythms and time schedule to the Swedish central administration, challenging the potential for politico-administrative control over domestic EU decision-making processes (Ekengren 2002). In short, the entry of Commission timing in Swedish government has lead to an increased need for, but a lack of capacity for, horizontal and vertical co-ordination. The increased co-ordination efforts are most visible in the later stages of the decision-making process, when dossiers enter the Council negotiations (cf. Figure 2). In the agenda setting phases in the European Commission the different domestic ministries and agencies have a much freer hand to formulate idiosyncratic



agendas (cf Figure 1). Still, across the Commission-Council spectrum, Ekengren (2002:152-153) shows that “EU time” have propelled a weakening of domestic hierarchical governance.

A survey conducted by Jacobsson, Lægreid and Pedersen (2004) shows a similar pattern. A large majority of the heads of unit in Swedish ministries, heavily involved in Commission decision-making processes, feel a lack of time to consult the political leadership, the EU secretariat of the FO, and the PMO. The co-ordinating role of the sectoral ministries and agencies have grown while the role of the Swedish FO is increasingly pictured as that of a “post box” (Sundström 1999). Different parts of the Swedish bureaucratic machinery have established independent relationships with Commission DGs, bypassing overall co-ordination by the Swedish FO. The informal work patterns within the Commission expert committees accompany weak incentives for domestic inter-ministerial co-ordination (cf. Figure 1) (Statskontoret 2004:6:24). Towards the Council of Ministers, much co-ordination activity seems to be achieved through informal personal contacts without written agendas (cf. Figure 2) (Sundström 1999). The survey of Jacobsson, Lægreid and Pedersen (2004) indicates a stronger effort for co-ordination between ministries and especially internally *within* each ministry (cf. Statskontoret 2004:6). The European Commission and the Council of Ministers thus seem to have differentiated impact on *intra*-ministerial and *inter*-ministerial co-ordination in the Swedish central administration. In 2004 a special secretariat for the co-ordination of everyday EU affairs (especially those related to the Council) moved from the FO to the PMO. This reform indicates that the Swedish Prime Minister has the ambition to get a tighter grip of EU affairs in the Swedish central administration. The trend towards a stronger PMO is observed in all the 15 “old” EU member-states (Mittag and Wessels 2003:423).

The co-ordination of Swedish positions towards the EU is also conducted by the parliamentary committee for EU affairs in the Swedish Riksdag. EU dossiers to be discussed in upcoming meetings in the Council of Ministers must be discussed *ex ante* by the advisory committee for EU Affairs in the Riksdag. This routine forces the central administration to inform the political leadership prior to their confrontations in the Riksdag (cf. Figure 2). However, the Riksdag may not, in contrast to the Danish system on which it is modelled, issue formally binding mandates on the Government on EU dossiers (Bergman 1997, Hegeland 1999). A recent study demonstrates that the EU advisory committee of the Swedish Riksdag convene more meetings, handle more dossiers and have stronger administrative resources than the corresponding Norwegian Parliamentary committee (Melsæther and Sverdrup 2004:15). Nevertheless, the Swedish Riksdag has had severe difficulties in entering the early stages of the decision-making process of the European Commission (Riksdagskommittén 2004). The Swedish co-ordination system is based on the centralised British and Danish system with great emphasis on formal control of domestic representatives. The importance attached to the role of the Riksdag relates to the Swedish belief that the democratic legitimacy of the EU system is ultimately vested in democratic processes within the member-states and a belief in centralised institutions and hierarchical processes as means of gate keeping the pooling of authority from national to supranational governments (Beyers and Trondal 2004).

The European Commission often consults external expertise when initiating new pieces of legislation (Van Schendelen 1998). In Sweden this usually means that civil servants from the agencies are consulted (Trondal 2001). In contrast to deliberations in the Council working groups and the comitology committees where civil servants are supposed to work under domestic instructions, the role perceptions of Swedish officials attending Commission expert

groups are more ambiguous (Beyers and Trondal 2004). Sometimes this creates paradoxical situations and potentially conflicting roles for Swedish representatives in the Commission expert committees (Statskontoret 2000:20A:35). Whereas Swedish officials who attend Commission expert committees may arrive with ambiguous mandates, Jacobsson (1999) observes that Swedish civil servants from sector ministries became increasingly aware of their national role after entering the Council system in 1995. The Swedish EU membership spurred a demand for co-ordinated Swedish positions among sector-experts who attended the Council working groups (cf. Figure 2). In "Circulation Paper I" distributed by the EU Unit in the Swedish FO the possibility of issuing instructions on a case-by-case basis is mentioned. Still, the host of decision-making processes in the Swedish central administration directed towards the Commission are often handled by officials in middle or lower rank positions that often has a fairly free mandate vis-a-vis its own politico-administrative leadership (cf. Figure 1) (Trondal 2001).

## CONCLUSIONS

Ten years after Norway and Sweden integrated differently into the EU apparatus we see a profound and differentiated impact on the day-to-day decision-making processes unfolding within the Norwegian and Swedish central administrations. This study reveals that the decision-making processes within the Norwegian central administration are strongly sector-penetrated by the European Commission. Similar observations are found within the Swedish administrative fabric accompanying a de-hierarchisation of the actual decision-making processes (cf. Figure 1). The European Commission fosters a rift between domestic Government responsibility and domestic Government control over the decision-making processes unfolding within the Norwegian and Swedish central administrations. These observations support the 'administrative integration approach' as suggested in this study. In

accordance with this approach the European Commission activates the lower echelons of the domestic government hierarchies, notably sector experts within sector agencies and sector ministries. The European Commission fosters a de-activation of the domestic politico-administrative leadership, the FO and the PMO. Henceforth, the empirical observations indicate that the actual decision-making processes that unfold within domestic government institutions are strongly conditioned by the Commission structure, as indicated in Figure 1.

Supportive to the ‘administrative integration approach’, the Council of Ministers has led to increased co-ordination activity within the Swedish FO, PMO and generally among the politico-administrative leadership in the Swedish central administration (cf. Figure 2). This is also observed in the UK central administration, where the EU membership has strengthened the Foreign and Commonwealth Office, the Cabinet and the UKREP to the EU (Bulmer and Burch 2005; Massey 2004: 27). Notably, the Council of Ministers seem to strengthen the domestic pyramidal hierarchy of governance (cf. Figure 2).

In support of the ‘administrative robustness approach’, the impact of the EU institutions is received differently within different parts of the domestic government apparatus. This study reveals a stronger de-hierarchisation of decision-making processes at the agency-level than at the ministry-level in both countries. The European Commission seems to contribute to a de-hierarchisation of decision-making processes within Norwegian and Swedish *agencies* more than within Norwegian and Swedish *ministries*. Hence, this study highlights how domestic government institutions mediate and filter the differentiated impact of the European Commission and the Council of Ministers. When agency and ministry officials attend *the same* Commission expert committees, ministry officials tend to be more strongly co-ordinated from the politico-administrative leadership than agency officials; and officials from the FO

tend to be more strongly mandated than officials from the sector ministries. EU dossiers are largely organised into existing ministerial structures and procedures both within the Norwegian and the Swedish central administrations. These observations indicate that despite ten years of differentiated integration into the EU, domestic government structures and procedures leave strong imprints on decision-making processes within the Norwegian and Swedish central administrative fabric.

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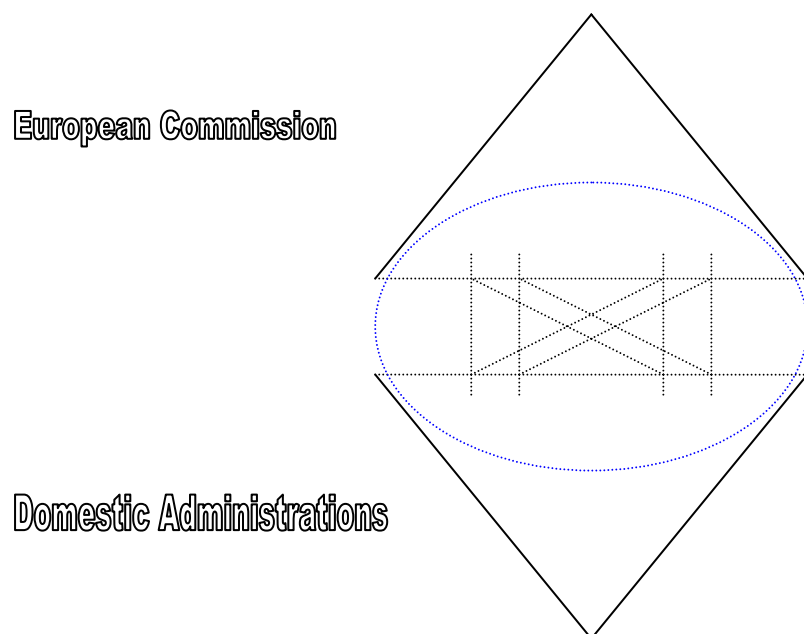
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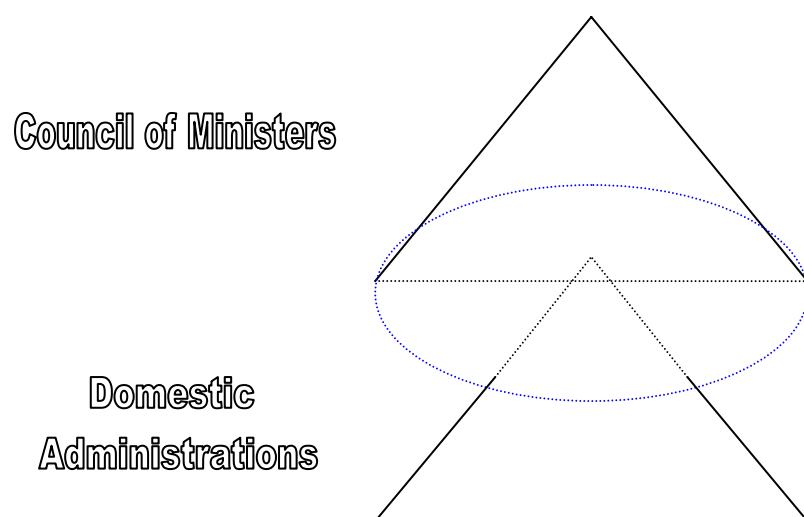
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## FIGURES

**Figure 1: A Model of sector-integration across levels of governance**



**Figure 2: A Model of territorial integration across levels of governance**



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